

**CITY OF SHAVANO PARK
PLANNING & ZONING COMMISSION MEETING
CITY HALL, COUNCIL CHAMBERS
900 SADDLETREE COURT, SHAVANO PARK, TEXAS 78231
January 14, 2015
6:30 P.M.
MINUTES**

1. Call to order

Chairman Werner called the meeting to order at 6:30 p.m.

PRESENT:

Bob Werner
Kathy Fandel
Kerry Dike
Michael Janssen
Albert Aleman
David Jauer
Konrad Kuykendall
Richard Lazor
Brian Harr

ABSENT:

2. Vote under Section 36-69 of the Shavano Park City Code (“Code”) concerning a finding that each of the items following item 2 on the agenda are “planning issues” or otherwise prescribed Planning and Zoning Commission duties under 36-69(l) of the Code or the severance of one or more of such items for an individual vote on such item or items.

Upon a motion made by Commissioner Janssen and a second made by Commissioner Lazor, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to approve the agenda as it was provided as Planning & Zoning Commission issues. The motion carried.

3. Citizens to be heard

Attorney Jay Farwell addressed the Commission regarding agenda item 8 and 9.

4. Public presentation by Commissioner Michael Janssen, Richard Lazor and Bob Werner regarding presentations on municipal tract development.

Commissioners Janssen, Lazor and Werner – made a presentation on the municipal tract development.

5. Consent Agenda:

A. Discussion and possible action to approve minutes of the Planning & Zoning Commission December 3, 2014 meeting.

Upon a motion made by Commissioner Aleman and a second made by Commissioner Harr, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to approve the minutes of the December 3, 2014 Planning and Zoning Commission meeting. The motion carried.

6. Public Hearing: Presentation by City Manager Bill Hill concerning rezoning of Lot 1813A, CB5938 – Northeast Corner (3829 Lockhill Selma - Advanced Smile Care) from A-2 Single Family residential to B-2 Business District.

Public Hearing opened 7:43 p.m.

Public Hearing closed 7.58 p.m.

7. **Discussion and possible action concerning Ordinance O-2015-001 rezoning of Lot 1813A, CB5938 – Northeast Corner (3829 Lockhill Selma - Advanced Smile Care) from A-2 Single Family residential to B-2 Business District.**

Upon a motion made by Commissioner Jauer rezoning Lot 1813A, CB5938 – Northeast Corner (3829 Lockhill Selma - Advanced Smile Care) from A-2 Single Family residential to B1 Business District.
Motion died due to lack of a second.

Upon a motion made by Commissioner Dike and a second made by Commissioner Harr to table this item to the next meeting. The Planning & Zoning Commission voted three (3) for and five (5) opposed and one (1) abstention. The motion failed.

Kathy Fandel	No
Kerry Dike	Yes
Michael Janssen	No
Albert Aleman	Yes
David Jauer	No
Konrad Kuykendall	No
Richard Lazor	Abstain
Brian Harr	Yes
Bob Werner	No

AYES: 3; NAYES: 5; ABSTAIN: 1 (Commissioner Lazor)

Commissioner Janssen made a motion rezoning Lot 1813A, CB5938 – Northeast Corner (3829 Lockhill Selma - Advanced Smile Care) from A-2 Single Family residential to B-2 Business District.
Motion died due to the lack of a second.

Upon a motion made by Commissioner Jauer and a second made by Commissioner Fandel, the Planning & Zoning Commission voted seven (7) for and one (1) opposed and one (1) abstention to recommend approval of Ordinance O-2015-001 rezoning Lot 1813A, CB5938 – Northeast Corner (3829 Lockhill Selma - Advanced Smile Care) from A-2 Single Family residential to B-1 Business District. The motion carried.

Kathy Fandel	Yes
Kerry Dike	Yes
Michael Janssen	Yes
Albert Aleman	No
David Jauer	Yes
Konrad Kuykendall	Yes
Richard Lazor	Abstain
Brian Harr	Yes
Bob Werner	Yes

AYES: 7; NAYES: 1 (Commissioner Aleman); ABSTAIN: 1 (Commissioner Lazor)

8. **Public Hearing: Presentation by City Manager Bill Hill concerning rezoning a 0.0837 acre tract of land and a 2.037 acre tract of land out of Lot 1813, Shavano Park Subdivision, Unit -16A-1 described as Lot 1813A and 1813B, located in the vicinity of Lockhill Selma and Huebner from A-2 Single Family to B-2 Business District.**

Public hearing opened 8:22 p.m.

Public hearing closed 8:30 p.m.

9. **Discussion and possible action concerning Ordinance O-2015-002 rezoning a 0.0837 acre tract of land and a 2.037 acre tract of land out of Lot 1813, Shavano Park Subdivision, Unit -16A-1 described as Lot 1813A and 1813B, located in the vicinity of Lockhill Selma and Huebner from A-2 Single Family to B-2 Business District.**

Commissioner Janssen made a motion to recommend to City Council approving Ordinance O-2015-002 rezoning a 0.0837 acre tract of land and a 2.037 acre tract of land out of Lot 1813, Shavano Park Subdivision, Unit -16A-1 described as Lot 1813A and 1813B, located in the vicinity of Lockhill Selma and Huebner from A-2 Single Family to B-2 Business District.

Motion died due to the lack of a second.

Upon a motion made by Commissioner Jauer and a second by Commissioner Dike, the Planning & Zoning Commission voted five (5) for and four (4) opposed to recommend rezoning a 0.0837 acre tract of land and a 2.037 acre tract of land out of Lot 1813, Shavano Park Subdivision, Unit -16A-1 described as Lot 1813A and 1813B, located in the vicinity of Lockhill Selma and Huebner from A-2 Single Family to B-1 Business District. The motion carried.

Kathy Fandel	Yes
Kerry Dike	Yes
Michael Janssen	No
Albert Aleman	No
David Jauer	Yes
Konrad Kuykendall	No
Richard Lazor	No
Brian Harr	Yes
Bob Werner	Yes

AYES: 5; NAYES: 4 (Commissioners Janssen, Aleman, Kuykendall, and Lazor)

10. **Public Hearing: Presentation by City Manager Bill Hill concerning zoning of 1.88 acres, more or less, tract of land out of the Collin McCrae Survey No. 391, Abstract 482 in Bexar County (south of North Loop 1604, to the east of the City of Shavano Park, and to the west of Bitters Road in North San Antonio) to be zoned M- Municipal.**

Public Hearing opened 8:36 p.m.

Public Hearing closed 8:37 p.m.

11. **Discussion and possible action concerning Ordinance O-2015-004 zoning of 1.88 acres, more or less, tract of land out of the Collin McCrae Survey No. 391, Abstract 482 in Bexar County (south of North Loop 1604, to the east of the City of Shavano Park, and to the west of Bitters Road in North San Antonio) to be zoned M- Municipal.**

Upon a motion made by Commissioner Dike and a second by Commissioner Lazor, the Planning & Zoning Commission voted eight (8) for and one (1) abstention to recommend approval of the proposed ordinance O-2015-004 zoning of 1.88 acres, more or less, tract of land out of the Collin McCrae Survey No. 391, Abstract 482 in Bexar County (south of North Loop 1604, to the east of the City of Shavano Park, and to the west of Bitters Road in North San Antonio) to be zoned M-Municipal to City Council. The motion carried.

Kathy Fandel	Yes
Kerry Dike	Yes

Michael Janssen	Yes
Albert Aleman	Yes
David Jauer	Yes
Konrad Kuykendall	Abstain
Richard Lazor	Yes
Brian Harr	Yes
Bob Werner	Yes

AYES: 8; NAYES: 0; ABSTAIN 1 (Commissioner Kuykendall)

12. **Public Hearing: Presentation by City Manager Bill Hill concerning zoning of 4.36 acre tract of land, more or less, out of the 479.37 acre tract recorded in Volume 12007, Page 2490 out of the official public records of Bexar County Texas, out of the Refugio Vargas Survey No. 80, Abstract 781, Bexar County TX (south of North Loop 1604, to the east of the City of Shavano Park and to the west of Bitters Road in north San Antonio to be zoned B-2 Business District.**

Public Hearing opened 8:40 p.m.

Public Hearing closed 8:41 p.m.

13. **Discussion and possible action concerning Ordinance O-2015-005 zoning of 4.36 acre tract of land, more or less, out of the 479.37 acre tract recorded in Volume 12007, Page 2490 out of the official public records of Bexar County Texas, out of the Refugio Vargas Survey No. 80, Abstract 781, Bexar County TX (south of North Loop 1604, to the east of the City of Shavano Park and to the west of Bitters Road in north San Antonio) to be zoned B-2 Business District.**

Upon a motion made by Commissioner Janssen and a second made by Commissioner Lazor, the Planning & Zoning Commission voted eight (8) for and one (1) opposed to recommend approval of Ordinance O-2015-005 zoning of 4.36 acre tract of land, more or less, out of the 479.37 acre tract recorded in Volume 12007, Page 2490 out of the official public records of Bexar County Texas, out of the Refugio Vargas Survey No. 80, Abstract 781, Bexar County TX (south of North Loop 1604, to the east of the City of Shavano Park and to the west of Bitters Road in north San Antonio) to be zoned B-2 Business District to City Council. The motion passed.

Kathy Fandel	Yes
Kerry Dike	Yes
Michael Janssen	Yes
Albert Aleman	Yes
David Jauer	No
Konrad Kuykendall	Yes
Richard Lazor	Yes
Brian Harr	Yes
Bob Werner	Yes

YES: 8; NAYES 1 (Commissioner Jauer)

14. **Public Hearing: Presentation by City Manager Bill Hill concerning rezoning a 16.04 acre tract of land, Shavano Park Unit 19B Phase V to a Planned Unit Development with a base district of B-2.**

Public Hearing opened 8: 44 a.m.

Dan Kossl presented an overview of the rezoning proposal.

Public Hearing closed 8:52 p.m.

15. **Discussion and possible action concerning Ordinance O-2015-006 rezoning a 16.04 acre tract of land, Shavano Park Unit 19B Phase V to a Planned Unit Development with a base district of B-2.**

Upon a motion made by Commissioner Janssen and a second made by Commissioner Lazor, the Planning & Zoning Commission voted eight (8) for and one (1) opposed to recommend approval with changes to Ordinance O-2015-006 to City Council for rezoning a 16.04 acre tract of land, Shavano Park Unit 19B Phase V to a Planned Unit Development with a base district of B-2 Business District. The motion carried.

Kathy Fandel	Yes
Kerry Dike	Yes
Michael Janssen	Yes
Albert Aleman	Yes
David Jauer	No
Konrad Kuykendall -	Yes
Richard Lazor	Yes
Brian Harr	Yes
Bob Werner	Yes

AYES: 8; NAYES: 1 (Commissioner Jauer)

16. **Discussion and possible action on final plat of Shavano Park, Unit -19C, Phase III, a 39.84 acre tract of land located generally west of Kinnan Way and Collins Circle Intersection.**

Upon a motion made by Commissioner Janssen and a second made by Commissioner Dike, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to approve the final plat of Shavano Park, Unit -19C, Phase III, a 39.84 acre tract of land located generally west of Kinnan Way and Collins Circle Intersection. The motion carried.

17. **Discussion and possible action on final plat of Pond Hill Commercial West Phase I, a 3.62 acre tract of land out of a 46.94 acre tract of located generally west of NW Military HWY and Pond Hill Rd Intersection.**

Upon a motion made by Commissioner Janssen and a second made by Commissioner Aleman, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to approve the final plat of Pond Hill Commercial West Phase I, a 3.62 acre tract of land out of a 46.94 acre tract of located generally west of NW Military HWY and Pond Hill Rd Intersection. The motion carried.

18. **Discussion and possible action on final plat of Shavano Park, Unit 19B Phase V, a 2.19 acre tract of land out of a 289.5 acre tract of land located generally 0.5 miles west of Bitters and Loop 1604 Intersection.**

Upon a motion made by Commissioner Lazor and a second made by Commissioner Fandel, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to approve the final plat of Shavano Park, Unit 19B Phase V, a 2.19 acre tract of land out of a 289.5 acre tract of land located generally 0.5 miles west of Bitters and Loop 1604 Intersection. The motion carried.

19. **Discussion and possible action concerning Ordinance No O-2015-003 amending Chapter 36 of the City of Shavano Park Code of Ordinances regarding pay at the pump gasoline sales at convenience stores.**

Upon a motion made by Commissioner Janssen and a second made by Commissioner Dike, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to recommend approval of the proposed ordinance to City Council.

The motion carried.

20. **Presentation by Commissioner Michael Janssen and the hike/bike trail working group, and discussion concerning the same.**

This item is deferred until the next meeting.

21. **Presentation by Commissioner Richard Lazor on 1993 City Drainage Plan, and discussion concerning the same.**

This item is deferred until the next meeting.

22. **Discussion concerning scheduling of working group meeting regarding review of the certificate of occupancy process.**

This item is deferred until the next meeting.

23. **Report and update by City Manager Bill Hill concerning City Council items considered at the October, November and December 2014 City Council meetings and discussion concerning the same.**

This item is deferred until the next meeting.

24. **Chairman Announcements:**

A. Advise members to contact City staff to add new or old agenda items.

B. Advise members of pending agenda items, as follows:

i. February – Presentation by P&Z Commissioner Michael Janssen and the hike/bike trail working group, and discussion concerning the same.

ii. February – Presentation by P&Z Commissioner Richard Lazor on 1993 City Drainage Plan, and discussion concerning the same.

iii. February – Presentation by Commissioner Konrad Kuykendall concerning working group review of the certificate of occupancy process, and discussion concerning the same.

iv. February - Presentation by working group concerning review of CoSP Code Sections 36-36(a)(7), 36-37(a)(2), and 36-102 regulating home occupations, discussion concerning the same.

v. February – Presentation by working group to review CoSP Ordinance 100-12-11 referencing “Covered Parking” “Carports,” discussion concerning the same and possible selection of working group members and chair, and schedule meeting regarding the same, if needed.

vi. July – Semiannual presentation by Denton Communities regarding residential and commercial development and discussion concerning the same.

25. **Adjournment**

Upon a motion made by Commissioner Janssen and a second made by Commissioner Jauer, the Planning & Zoning Commission voted eight (8) for and none (0) opposed to adjourn the meeting. The meeting adjourned at 9:25 p.m.

Robert Werner
Chairman

Zina Tedford
City Secretary